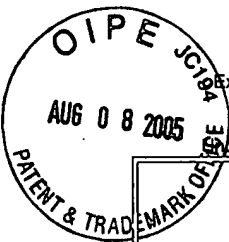


8/9/05

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PTO/SB/21 (08-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/693,433
Filing Date	Oct 25, 2003
First Named Inventor	Singh, Navpreet
Art Unit	1654
Examiner Name	Susan D. Coe
Attorney Docket Number	SP-1309 US

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Amendment to delete erroneously named inventors, Statement from BSzuhaj, Statement from AKonwinski, Statement from CLevitt, Declaration from NSingh

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James L. Cordek, Reg. No. 31,807
Signature	<i>James L. Cordek</i>
Date	August 8, 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Type or printed name	Sheri West		
Signature	<i>Sheri West</i>	Date	August 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Attorney's Docket No. SP-1309 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Navpreet Singh
Serial No. : 10/693,433
Filed : October 24, 2003
Art Unit : 1654
Examiner : Susan D. Coe
For : Bowman-Birk Inhibitor Concentrate Product and Process

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: **EV 042960105 US**

Date of Deposit: August 8, 2005

I hereby certify that the attached: **Original and Duplicate of Amendment, Request and Fee to delete and/or Add to Original Erroneously Named or not Named Inventor(s) in-Nonprovisional Application-Declaration (37 CFR 1.48 (a)); Transmittal Form (1 page); Fee Transmittal (1 page in duplicate); Statement by Bernard F. Szuhaj (2 pages); Statement by Arthur H. Konwinski (2 pages); Statement of Consent of Assignee (2 pages); Declaration of Navpreet Singh (1 page); and Return Receipt Postcard:** are being deposited with the United States Postal Service as "Express Mail" in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dated: 8/8/05

Sheri West
Sheri West



Practitioner's Docket No. SP-1309 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Navpreet Singh**

Application No.: **10 / 693,433**

Group No.: **1654**

Filed: **October 24, 2003**

Examiner: **Susan D. Coe**

For: **Bowman-Birk Inhibitor Concentrate Product and Process**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT, REQUEST AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))**

NOTE: "If the inventive entity is set forth in error in an executed § 1.63 oath or declaration in a nonprovisional application, and such error arose without any deceptive intention of the part of the person named as an inventor in error or on the part of the person who through error was not named as an inventor, the inventorship of the nonprovisional application may be amended to name only the actual inventor or inventors." 37 C.F.R. § 1.48(a)

NOTE: 37 C.F.R. § 1.48(f)(1): "Nonprovisional application-filing executed oath/declaration corrects inventorship. If the correct inventor or inventors are not named on filing a nonprovisional application under § 1.53(b) without an executed oath or declaration under § 1.63 by any of the inventors, the first submission of an executed oath or declaration under § 1.63 by any of the inventors during the pendency of the application will act to correct the earlier identification of inventorship. See §§ 1.41(a)(4) and 1.497(d) for submission of an executed oath or declaration to enter the national stage under 35 U.S.C. 371 and § 1.494 or § 1.495 naming an inventive entity different from the inventive entity set forth in the international stage."

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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☐ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Sheri West

(type or print name of person certifying)

Date: **August 8, 2005**

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s)
in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 1 of 3)

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08/10/2005

SFELEKE1

01 FC:1464

130.00 DA

1. This amendment and request is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on 10/24/2003 (date).
2. Addition and/or Deletion of Inventor(s)

(check and complete all applicable items)

- ☐ Add the following previously unnamed person(s) as inventor(s) of this application:

- ☒ Delete the following previously incorrectly named inventor(s)

Bernard F. Szuhaj
Arthur H. Konwinski

3. Attachments

Attached is

- (a) A statement from: *(check items below that apply)*

- ☐ each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).
☒ each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

- (b) a declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(2).

- (c) written assent of the assignee *(if any of the original inventors executed an assignment)* 37 C.F.R. 1.48(a)(4)

- (d) *(check the following item, if all the inventor(s) remaining after this petition and amendment is accepted are not the inventor(s) of the subject matter of all the claim(s) now being claimed.)*

- ☐ Attached is an explanation of the facts, including the ownership of all the claim(s) being claimed in this application, including the ownership of all the claim(s) at the time the last claimed invention was made (Declaration of Inventorship and Common Ownership of Claims in Application).

4. Fee Payment (37 C.F.R. § 1.17(i)–\$130.00)

The fee required is paid as follows:

- ☐ Attached is a ☐ check ☐ money order in the amount of \$ _____

- ☒ Authorization is hereby made to charge the amount of \$ 130.00

- ☒ to Deposit Account No. 50-0421

- ☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Reg. No.: 31,807

Date: Aug 8, 2005

Tel. No.: (314) 982.2409

Customer No.:

James L. Cordek

SIGNATURE OF PRACTITIONER

James L. Cordek

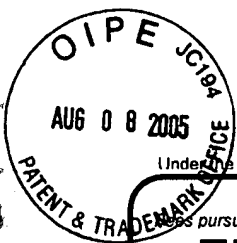
(type or print name of practitioner)

PO Box 88940

P.O. Address

St Louis, MO 63188

(Amendment, Request and Fee to Delete and/or Add to Original Erroneously Named or Not Named Inventor(s)
in—Nonprovisional Application—Declaration (37 C.F.R. § 1.48(a)) [9-22]—page 3 of 3)



Effective on 12/08/2004.

As required pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	10/693,433
Filing Date	October 25, 2003
First Named Inventor	Singh, Navpreet
Examiner Name	Susan D. Coe
Art Unit	1654
Attorney Docket No.	SP-1309

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-0421 Deposit Account Name: Solae, LLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$)
_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)
_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Amendment to delete inventors Fees Paid (\$)
\$130.00

SUBMITTED BY

Signature	<u>James L. Cordek</u>	Registration No. (Attorney/Agent)	31,807	Telephone	314-982-2409
Name (Print/Type)	James L. Cordek			Date	August 8, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Docket No. SP-1309

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Navpreet Singh

Examiner: Susan D. Coe

Serial No.: 10/693,433

Art Unit: 1654

Filed: October 24, 2003

Title: **BOWMAN-BIRK INHIBITOR CONCENTRATE PRODUCT AND
PROCESS**

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Date of Deposit

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1450, Alexandria, VA 22313-1450.

By: Sheri West 8/8/05
Typed Name: Sheri West

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT

Dear Sir:

I, Arthur H. Konwinski, state an error in inventorship in the above captioned application occurred without deceptive intention on my part in that I was inadvertently named as an inventor.

The facts concerning the misjoinder are detailed below.

Bernard F. Szuhaj and I are named as co-inventors on US 6,887,498 for a method for making a Bowman Birk Inhibitor. In that method, acid extracted solubles are mixed with acetone to form a precipitate and a liquor. The precipitate is separated from the liquor and the precipitate is washed with additional acetone. This precipitate is separated from the acetone and air dried. The dried precipitate is dispersed in water, solids are

removed by filtration and the dispersion is spray dried to give the Bowman Birk Inhibitor.

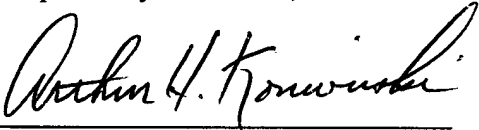
In the present invention, the originally named inventors are Navpreet Singh, Bernard F. Szuhaj and Arthur H. Konwinski. In the present invention, acid extracted solubles are mixed with acetone to form a precipitate and a liquor. The precipitate is separated from the liquor. The precipitate is dispersed in water and the dispersion is ultrafiltered to obtain a retentate. The retentate is dried to give the Bowman Birk Inhibitor.

I did not make the contribution of ultrafiltration to the present invention. It is through no deceptive intent that I was named an inventor.

Date: 7/13/05

PO Box 88940
St. Louis, MO 63188

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Arthur H. Konwinski", written over a horizontal line.

Arthur H. Konwinski



Packet No. SP-1309

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Navpreet Singh

Examiner: Susan D. Coe

Serial No.: 10/693,433

Art Unit: 1654

Filed: October 24, 2003

Title: **BOWMAN-BIRK INHIBITOR CONCENTRATE PRODUCT AND
PROCESS**

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on the date indicated above and is addressed to the
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1450, Alexandria, VA 22313-1450.

By

Sheri West 8/8/05
Typed Name: Sheri West

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT

Dear Sir:

I, Bernard F. Szuhaj, state an error in inventorship in the above captioned application occurred without deceptive intention on my part in that I was inadvertently named as an inventor.

The facts concerning the misjoinder are detailed below.

Arthur H. Konwinski and I are named as co-inventors on US 6,887,498 for a method for making a Bowman Birk Inhibitor. In that method, acid extracted solubles are mixed with acetone to form a precipitate and a liquor. The precipitate is separated from the liquor and the precipitate is washed with additional acetone. This precipitate is

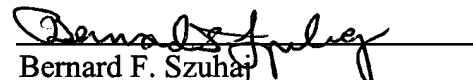
separated from the acetone and air dried. The dried precipitate is dispersed in water, solids are removed by filtration and the dispersion is spray dried to give the Bowman Birk Inhibitor.

In the present invention, the originally named inventors are Navpreet Singh, Bernard F. Szuhaj and Arthur H. Konwinski. In the present invention, acid extracted solubles are mixed with acetone to form a precipitate and a liquor. The precipitate is separated from the liquor. The precipitate is dispersed in water and the dispersion is ultrafiltered to obtain a retentate. The retentate is dried to give the Bowman Birk Inhibitor.

I did not make the contribution of ultrafiltration to the present invention. It is through no deceptive intent that I was named an inventor.

Respectfully submitted,

Date: July 10, 2005


Bernard F. Szuhaj

PO Box 88940
St. Louis, MO 63188



Docket No. SP-1309

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Navpreet Singh

Examiner: Susan D. Coe

Serial No.: 10/693,433

Art Unit: 1654

Filed: October 24, 2003

Title: **BOWMAN-BIRK INHIBITOR CONCENTRATE PRODUCT AND
PROCESS**

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1450, Alexandria, VA 22313-1450.

By

Sheri West 8/8/05
Typed Name: Sheri West

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF CONSENT OF ASSIGNEE

Dear Sir:

I, Cary A. Levitt, an officer of Solae, LLC, state an error in inventorship in the above captioned application occurred without deceptive intention on the part of the originally named inventors.

The facts concerning the misjoinder are detailed below.

Bernard F. Szuhaj and Arthur H. Konwinski are named as co-inventors on US 6,887,498 for a method for making a Bowman Birk Inhibitor. In that method, acid extracted solubles are mixed with acetone to form a precipitate and a liquor. The precipitate is separated from the liquor and the precipitate is washed with additional

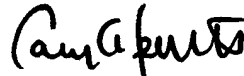
acetone. This precipitate is separated from the acetone and air dried. The dried precipitate is dispersed in water, solids are removed by filtration and the dispersion is spray dried to give the Bowman Birk Inhibitor.

In the present invention, the originally named inventors are Navpreet Singh, Bernard F. Szuhaj and Arthur H. Konwinski. In the present invention, acid extracted solubles are mixed with acetone to form a precipitate and a liquor. The precipitate is separated from the liquor. The precipitate is dispersed in water and the dispersion is ultrafiltered to obtain a retentate. The retentate is dried to give the Bowman Birk Inhibitor.

Bernard F. Szuhaj and Arthur H. Konwinski did not make the contribution of ultrafiltration to the present invention. It is through no deceptive intent that Bernard F. Szuhaj and Arthur H. Konwinski were named as inventors.

Respectfully submitted,

Date: 8 August 2005



Cary A. Levitt
Vice President and General Counsel

PO Box 88940
St. Louis, MO 63188

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

ATTORNEY DOCKET NO. SP-1309 US

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Bowman-Birk Inhibitor Concentrate Product & Process

the specification of which is attached hereto unless the following box is checked:

(X) was filed on 10/24/03 as US Application Serial No. 10/693,433 and was amended on April 19, 2005 (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

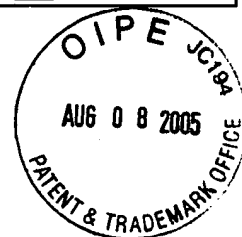
I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: _____ NO: _____
			YES: _____ NO: _____

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE
60/421,354	10/25/2002

**U.S. Priority Claim**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

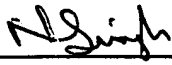
HOLLY M. AMJAD, Reg. No. 41582

JAMES L. CORDEK, Reg. No. 31807

CARY A. LEVITT, Reg. No. 31848

Send Correspondence to:	Direct Telephone Calls To:
HOLLY M. AMJAD SOLAE, LLC P. O. BOX 88940 BUILDING 3C, LEGAL DEPARTMENT ST. LOUIS, MO 63188	HOLLY M. AMJAD 314-982-5822

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Navpreet SinghCitizenship: IndiaResidence: 5432 Chardonnay Way Court, St. Louis, MO 63129 USPost Office Address: Same


 Inventor's Signature

8/8/05

 Date